THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.13285 of 2006

03.7.2006

Between:

Kolla Surappadu, S/o.Late Chittibabu
And others

… Petitioners

AND

The District Collector, Srikakulam
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.13285 of 2006

ORDER:

The three petitioners are sons of one Chittibabu, who is allegedly the absolute owner of the land admeasuring Acs.0.86 in survey No.162/04 situated at Tamarapalli Village of Narsannapet Mandal in Srikakulam District. On 02.4.2006, they made an application to respondents 2 and 3 requesting for issue of pattadar passbooks. By endorsement dated 05.4.2006, the Mandal Revenue Officer, Narsannapet (MRO), informed the petitioners that pattadar passbooks cannot be granted in respect of the land in survey No.162/04 as the same is recorded in the revenue records as Government poramboke land. It appears that the petitioners also made application for issue of certified copies of revenue records in respect of the said land and the same was denied by another endorsement dated 03.5.2006 informing the petitioners that no certified copies of the revenue records can be granted in respect of Government poramboke lands. Therefore, the petitioners filed the present writ petition seeking a declaration that the action of the respondents is illegal and arbitrary.

There is no denial before this Court that the petitioners wanted pattadar passbooks and the same was denied by the third respondent on the ground that it is a Government poramboke land. If the petitioners are aggrieved by the same, they have a right or remedy under Section 5(5) of A.P. Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity). Therefore, this Court is not inclined to express any opinion on the right of the petitioners in spite of strenuous submission made by the learned Counsel for the petitioners that the petitioners' father was assigned the land. If so advised, the petitioners may file an appeal before the second respondent. As and when such appeal is filed, the second respondent shall entertain the appeal and dispose of the same within a period of eight weeks from the date of filing

of the appeal.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

July 03, 2006.

NOTE:

Dispatch order copy in one week.

(By order) YS